

REMARKS

Claims 1, 2, and 4-14 are now pending in this application for which applicants seek reconsideration.

Amendment

Claim 3 has been canceled, and claims 1, 2, and 4-14 have been amended to improve their form, readability, and clarity. Independent claim 1 further has been amended to include certain features of canceled claim 3 and other aspects. Claim 5, 8, and 10 also have been amended to depend from claim 1. Accordingly, this application now contains only one independent claim. No new matter has been introduced.

Art Rejection

Claims 1, 3-6, 8, and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tamotsu (JP 11-134090) in view of Paul (USP 7,050,606). Claims 2, 7, 9, and 11-14 were rejected under § 103(a) as unpatentable over Tamotsu and Paul in view of various combinations of Bogen (USP 5,815,147), Smith (USP 6,128,003), Pryor (USP 6,766,036), or Peter (USP 6,359,612). Applicants submit the present amendment clearly overcomes the art rejections.

Independent claim 1 calls for, *inter alia*, controlled object selecting means for selecting one of the controlled objects in accordance with at least one of the recognized hand pattern or a hand motion, detection mode selecting means for selecting one of a plurality of prescribed detecting modes as a mode of detecting the operation information based on the hand motion in dependence with the controlled object selected by the controlled object selecting means, and instructed-operation recognizing section for controlling the controlled object selected by the controlled object selecting means based on the operation information detected with the detecting mode selected by the detection mode selecting means. The prescribed detecting modes include a moved distance detecting mode for detecting a moved distance of the hand in the image pickup zone and a stop time detecting mode for detecting a stop time of the hand at a stop position, to which the hand has been moved by a predetermined distance or more in the image pickup zone.

Tamotsu disclose a CCD camera for detecting the driver's hand pattern for controlling equipment in the vehicle, such as radio, CD, air conditioner, etc. As Tamotsu, however, does not disclose detecting a hand motion, the examiner relied upon Paul for the proposition that detecting a hand motion with a CCD camera would have been obvious.

Paul discloses selecting a control object based on a dynamic gesture recognition and a static gesture recognition. Paul, however, fails to disclose or teach, *inter alia*, the claimed features originally set forth in claim 3, namely detecting a stop time of the hand at a stop position to which the hand has been moved by a predetermined distance or more in the image pickup zone. Accordingly, even if the applied references were deemed properly combinable for argument's sake, applicants submit that the applied references would not have taught claim 1 or any of the claims depending therefrom.

Conclusion

Applicants submit that claims 1, 2, and 4-14 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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08 DECEMBER 2006

DATE

/Lyle Kimms/

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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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